

**U.S. District Court  
District of Connecticut (New Haven)  
CIVIL DOCKET FOR CASE #: 3:18-cv-00440-AVC**

Reproductive Rights and Justice Project v. HHS  
Assigned to: Judge Alfred V. Covello  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/14/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Reproductive Rights and Justice Project**

represented by **Cortelyou C. Kenney**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Priscilla Joyce Smith**  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Dept. of HHS**  
**U.S.**

represented by **Natalie Nicole Elicker**  
U. S. Attorney's Office-CT  
157 Church Street  
24th Floor  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/14/2018	<u>1</u>	COMPLAINT against Dept. of HHS ( Filing fee \$400 receipt number ACTDC-4755149.), filed by Reproductive Rights and Justice Project. (Attachments: # <u>1</u> Exhibit FOIA Request, # <u>2</u> Exhibit FOIA Acknowledgment, # <u>3</u> Exhibit Narrowed Request, # <u>4</u> Exhibit Correspondence, # <u>5</u> Exhibit Further Correspondence)(Kenney, Cortelyou) (Entered: 03/14/2018)
03/14/2018	<u>2</u>	AMENDED COMPLAINT against Dept. of HHS, filed by Reproductive Rights and Justice Project. (Attachments: # <u>1</u> Exhibit FOIA Request, # <u>2</u> Exhibit FOIA Acknowledgment, # <u>3</u> Exhibit Narrowed Request, # <u>4</u> Exhibit Correspondence, # <u>5</u> Exhibit Further Correspondence, # <u>6</u> Corporate Disclosure Statement, # <u>7</u> Civil Cover Sheet)(Kenney, Cortelyou) (Entered: 03/14/2018)
03/14/2018		Request for Clerk to issue summons as to Dept. of HHS. (Kenney, Cortelyou) (Entered: 03/14/2018)
03/14/2018	<u>3</u>	Corporate Disclosure Statement by Reproductive Rights and Justice Project. (Walker, J.) (Entered: 03/15/2018)

03/14/2018		Judge Alfred V. Covello added. (Anastasio, F.) (Entered: 03/15/2018)
03/14/2018	<u>4</u>	ELECTRONIC FILING ORDER – PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Alfred V. Covello on 3/14/2018.(Bozek, M.) (Entered: 03/16/2018)
03/16/2018	<u>5</u>	NOTICE TO COUNSEL/SELF–REPRESENTED PARTIES : Counsel or self–represented parties initiating or removing this action are responsible for serving all parties with attached documents and copies of <u>3</u> Corporate Disclosure Statement filed by Reproductive Rights and Justice Project, <u>1</u> Complaint, filed by Reproductive Rights and Justice Project, Request to Issue Summons, <u>2</u> Amended Complaint, filed by Reproductive Rights and Justice Project, and <u>4</u> Electronic Filing Order. Signed by Clerk on 3/16/2018.(Bozek, M.) (Entered: 03/16/2018)
03/16/2018	<u>6</u>	ELECTRONIC SUMMONS ISSUED in accordance with Fed. R. Civ. P. 4 and LR 4 as to *Dept. of HHS* with answer to complaint due within *30* days. Attorney *Cortelyou C. Kenney* *Yale Law School* *127 Wall St.* *New Haven, CT 06520*. (Bozek, M.) (Entered: 03/16/2018)
03/29/2018	<u>7</u>	SUMMONS Returned Executed by Reproductive Rights and Justice Project. All Defendants. (Attachments: # <u>1</u> Affidavit Affidavit of Service)(Kenney, Cortelyou) (Entered: 03/29/2018)
03/30/2018	<u>8</u>	MOTION for Attorney(s) Priscilla J. Smith to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4775847) by Reproductive Rights and Justice Project. (Attachments: # <u>1</u> Affidavit)(Kenney, Cortelyou) (Entered: 03/30/2018)
04/02/2018	<u>9</u>	ORDER granting <u>8</u> motion to appear pro hac vice. Certificate of good standing due on or before 6/1/2018. Signed by Judge Alfred V. Covello on April 2, 2018. (Kontyko, K.) (Entered: 04/02/2018)
04/19/2018	<u>10</u>	NOTICE of Appearance by Priscilla Joyce Smith on behalf of Reproductive Rights and Justice Project (Smith, Priscilla) (Entered: 04/19/2018)
04/23/2018	<u>11</u>	ANSWER to <u>2</u> Amended Complaint, with Affirmative Defenses. by Dept. of HHS.(Elicker, Natalie) (Entered: 04/23/2018)
04/23/2018	<u>12</u>	NOTICE of Appearance by Natalie Nicole Elicker on behalf of Dept. of HHS (Elicker, Natalie) (Entered: 04/23/2018)
04/26/2018	<u>13</u>	First MOTION for Leave to Appear Law Student Appearance <i>Julia Coppelman</i> Attorney Priscilla J. Smith. by Reproductive Rights and Justice Project. (Smith, Priscilla) (Entered: 04/26/2018)
04/26/2018	<u>14</u>	Second MOTION for Leave to Appear Law Student Appearance <i>Becca Steinberg</i> Attorney Priscilla J. Smith. by Reproductive Rights and Justice Project. (Smith, Priscilla) (Entered: 04/26/2018)
04/27/2018	<u>15</u>	ORDER granting <u>13</u> motion to appear as a law student intern. Signed by Judge Alfred V. Covello on April 27, 2018. (Kontyko, K.) (Entered: 04/27/2018)
04/27/2018	<u>16</u>	ORDER granting <u>14</u> motion to appear as a law student intern. Signed by Judge Alfred V. Covello on April 27, 2018. (Kontyko, K.) (Entered: 04/27/2018)
05/18/2018	<u>17</u>	CERTIFICATE OF GOOD STANDING re <u>8</u> MOTION for Attorney(s) Priscilla J. Smith to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number ACTDC–4775847) by Reproductive Rights and Justice Project. (Smith, Priscilla) (Entered: 05/18/2018)
06/28/2018	<u>18</u>	Joint STATUS REPORT <i>Proposed Schedule</i> by Reproductive Rights and Justice Project. (Smith, Priscilla) (Entered: 06/28/2018)
08/21/2018	<u>19</u>	Joint STATUS REPORT by Reproductive Rights and Justice Project. (Smith, Priscilla) (Entered: 08/21/2018)
11/29/2018	<u>20</u>	Joint STATUS REPORT <i>Proposed Scheduling Order</i> by Dept. of HHS. (Elicker, Natalie) (Entered: 11/29/2018)
01/22/2019	<u>21</u>	SCHEDULING ORDER: discovery due by 3/14/2019; dispositive motions due by 4/19/2019; trial brief due by 5/17/2019; joint trial memorandum due by 6/27/2019. The

		case shall be ready for trial by 7/18/2019. Signed by Judge Alfred V. Covello on 1/22/19. (Hall, Gregory) (Entered: 01/22/2019)
01/25/2019	<u>22</u>	AMENDED SCHEDULING ORDER: discovery due on or before 3/14/19; dispositive motions due on or before 4/19/19; trial brief due on or before 5/17/19. The case shall be ready for trial on or before 6/27/19. Signed by Judge Alfred V. Covello on 1/25/19. (Hall, Gregory) (Entered: 01/25/2019)
02/04/2019	<u>23</u>	Joint STATUS REPORT by Dept. of HHS. (Elicker, Natalie) (Entered: 02/04/2019)
03/13/2019	<u>24</u>	Consent MOTION for Extension of Time until 4/13/19 <i>for</i> Production Deadline by Dept. of HHS. (Elicker, Natalie) (Entered: 03/13/2019)
03/14/2019	25	ORDER granting <u>24</u> motion for extension of time. The scheduling order is hereby amended as follows: production of responsive, non-exempt records due on or before 4/13/19; dispositive motions due on or before 5/19/19; trial brief due on or before 6/16/19. The case shall be ready for trial on or before 7/27/19. Signed by Judge Alfred V. Covello on 3/14/19. (Hall, Gregory) (Entered: 03/14/2019)
03/14/2019		Reset Deadlines per 25 Order: Dispositive Motions due by 5/19/2019. Trial Brief due by 6/16/2019. Trial Ready Date 7/27/2019. (Bozek, M.) (Entered: 03/15/2019)
05/15/2019	<u>26</u>	Consent MOTION for Extension of Time until 6/3/2019 for production of search declaration and Vanghn Index, and for other modification of the scheduling order by Dept. of HHS. (Elicker, Natalie) (Entered: 05/15/2019)
05/20/2019	27	ORDER granting <u>26</u> motion for extension of time. The scheduling order is hereby amended as follows: defendant's production of search declarations and Vaughn indices due by 6/3/19; plaintiff's notification of non contested matters due by 6/24/19; dispositive motions due by 7/24/19; trial brief due by 8/16/19. The case shall be ready for trial by 9/27/19. Signed by Judge Alfred V. Covello on 5/20/19. (Hall, Gregory) (Entered: 05/20/2019)
05/20/2019		Reset Deadlines per 27 Order: Dispositive Motions due by 7/24/2019. Trial Brief due by 8/16/2019. Trial Ready Date 9/27/2019. (Bozek, M.) (Entered: 05/24/2019)
07/19/2019	<u>28</u>	Consent MOTION for Extension of Time until 8/7/2019 <i>to file</i> dispositive motions by Dept. of HHS. (Elicker, Natalie) (Entered: 07/19/2019)
07/22/2019	<u>29</u>	Consent MOTION for Extension of Time until 8/23/2019 for defendant's summary judgment motion, and other modification of the scheduling order as described by Dept. of HHS. (Elicker, Natalie) (Entered: 07/22/2019)
07/23/2019	30	ORDER granting in part and denying in part <u>28</u> motion for extension of time; granting in part and denying in part <u>29</u> motion for extension of time. The scheduling order is hereby amended as follows: dispositive motions due by 8/23/19; trial brief due by 9/20/19. The case shall be ready for trial by 10/18/19. Signed by Judge Alfred V. Covello on 7/23/19. (Hall, Gregory) (Entered: 07/23/2019)
07/23/2019		Reset Deadlines per 30 Order: Dispositive Motions due by 8/23/2019. Trial Brief due by 9/20/2019. Trial Ready Date 10/18/2019. (Bozek, M.) (Entered: 07/24/2019)
08/23/2019	<u>31</u>	MOTION for Summary Judgment by Reproductive Rights and Justice Project.Responses due by 9/13/2019 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Affidavit Declaration of Faren M. Tang, # <u>4</u> Exhibit Ex. A, # <u>5</u> Exhibit Ex. B, # <u>6</u> Exhibit Ex. C, # <u>7</u> Exhibit Ex. D, # <u>8</u> Errata Ex. E, # <u>9</u> Exhibit Ex. F, # <u>10</u> Exhibit Ex. G, # <u>11</u> Exhibit Ex. H, # <u>12</u> Exhibit Ex. I, # <u>13</u> Exhibit Ex. J, # <u>14</u> Exhibit Ex. K, Cont. Doc. 1, # <u>15</u> Exhibit Ex. L, Cont. Doc. 2, # <u>16</u> Exhibit Ex. M, Cont.Doc. 3, # <u>17</u> Exhibit Ex. N, Cont. Doc. 4, # <u>18</u> Exhibit Ex. O, Cont. Doc. 5, # <u>19</u> Exhibit Ex. P, Cont. Doc. 6, # <u>20</u> Exhibit Ex. Q, Cont. Doc. 7, # <u>21</u> Exhibit Ex. R, Cont. Doc. 8, # <u>22</u> Exhibit Ex. S, Cont. Doc. 9, # <u>23</u> Exhibit Ex. T, Cont. Doc. 10, # <u>24</u> Exhibit Ex. U, Cont. Doc. 11, # <u>25</u> Exhibit Ex. V, Cont. Doc. 12, # <u>26</u> Exhibit Ex. W, Cont. Doc. 13, # <u>27</u> Exhibit Ex. X, Cont. Doc. 14, # <u>28</u> Exhibit Ex. Y, Cont. Doc. 15, # <u>29</u> Exhibit Ex. Z, Cont. Doc. 16, # <u>30</u> Exhibit Ex. AA, Cont. Doc. 17, # <u>31</u> Exhibit Ex. BB, Cont. Doc. 18, # <u>32</u> Exhibit Ex. CC, Cont. Doc. 19, # <u>33</u> Exhibit Ex. DD, Cont. Doc. 20, # <u>34</u> Exhibit Ex. EE, Cont. Doc. 21)(Smith, Priscilla) (Entered: 08/23/2019)

08/23/2019	<u>32</u>	MOTION for Summary Judgment by Dept. of HHS.Responses due by 9/13/2019 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Exhibit List, # <u>4</u> Exhibit A – M. Marquis Decl. & attachments, # <u>5</u> Exhibit B – Vaughn Index (operative), # <u>6</u> Exhibit C – N. Elicker Decl. & attachments, # <u>7</u> Exhibit Contested Records, Exhibits 1–21)(Elicker, Natalie) (Entered: 08/23/2019)
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